



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

OGAWA, Masashi, et al.

Appln. No.: 09/917,897

Docket No: Q65704

HCB  
Plunkett  
5/6/03

Confirmation No.: 2025

Group Art Unit: 1631

Filed: July 31, 2001

Examiner: Moran, M.

For: METHOD OF MEASUREMENT OF PROTEASE AND THIN MEMBRANES USED  
FOR SAID METHOD

RECEIVED

TERMINAL DISCLAIMER

Commissioner for Patents  
Washington, D.C. 20231

MAY 02 2003

Sir:

TECH CENTER 1600/2900

The undersigned, on behalf of the petitioner, FUJI PHOTO FILM CO., LTD., represents that the petitioner, FUJI PHOTO FILM CO., LTD. is the owner of the entire right, title and interest of U.S. Application No. 09/742,296, filed on December 22, 2000 for METHOD FOR MEASURING PROTEASE ACTIVITY by virtue of an Assignment from all of the inventors thereof executed on January 31, 2001, recorded on April 24, 2001 at Reel 011730, Frame 0169, now issued as U.S. Patent 6,485,926, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/917,897 by virtue of an Assignment from all of the inventors thereof executed on October 14, 1998, recorded on February 10, 1999, at Reel 9870, Frame 0400.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

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Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/917,897 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,485,926, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/917,897 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,485,926 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/917,897, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/917,897 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/917,897 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,485,926 in the event that U.S. Patent 6,485,926 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: April 11, 2003

Name: Kazuyoshi HOSHI

Name: Kazuyoshi Hoshi

Title: Senior Technical Associate  
Intellectual Property Division